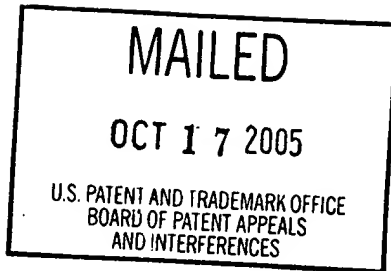


UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES



Ex parte JUSTIN CHARLES MOODIE,
MATTHEW PETER TRAVERS and
ADEDAYO ELEGBE

Application 09/803,928

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received electronically at the Board of Patent Appeals and Interferences on September 8, 2005. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being electronically returned to the examiner. The matters requiring attention prior to docketing are identified below:

The Examiner mailed an Examiner Answer June 27, 2005 in response to Appellants' Appeal Brief, filed April 22, 2005. A review of the answer indicates that the answer was drafted under the 37 CFR § 1.192(c) as the headings in the answer are consistent with the 37 CFR § 1.192(c) format. However, 37 CFR § 1.192 was abolished on September 13, 2004, and replaced by 37 CFR § 41.37(c). Therefor the answer does not comply with the headings as set forth in the new rules under 37 CFR § 41.37 (c). Correction is required.

Application 09/803,928

Accordingly, it is

ORDERED that the application is returned to the Examiner

- (1) to vacate the Examiner's Answer mailed June 27, 2005 , and issue a revised Examiner's Answer in accordance with the new rules effective September 13, 2004; and
- (2) for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By:



CRAIG FEINBERG
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CF/vsh

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